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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/488,327 | 01/20/2000 | Ryan S. Holmqvist | HOLMQVIST-1 | 4272 |

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| EXAMINER |
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HOLLOWAY III, EDWIN C

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| ART UNIT | PAPER NUMBER |
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2635

DATE MAILED: 07/13/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/488,327

Applicant(s)

HOLMQVIST, RYAN S.

Examiner

Edwin C. Holloway, III

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Examiner's Response

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3-00-04 has been entered.

2. In response to applicant's amendment filed 3-11-04, all the amendments to the specification and claims have been entered. The examiner has considered the new presentation of claims and applicant's arguments in view of the disclosure and the present state of the prior art. And it is the examiner's opinion that the claims are unpatentable for the reasons set forth in this Office action:

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1-3, 5-10, 12-17 and 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holmes (US 5668852) in combination with Arledge (US 5561703).

Regarding claims 1, 8 and 15 Holmes discloses a paging

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system, method and network infrastructure with auxiliary information collector including decoding equipment 24 for extracting caller associated information (CAI) datum such as caller ID, and auxiliary information transmitter that automatically transmits the CAI to a pager. Answering equipment 20, decoding equipment 24 and messaging equipment 26 function as a call center to handle incoming calls. See col. 3 line 25-col. 4 line 41 and figs. 1-2. Holmes differs from the claims by not expressly disclosing "wherein said ancillary information collector prompts a paging party to choose at least a portion of said identification information from a database."

Arledge disclose analogous art system with caller selecting identification information from a menu provided by a paging server 13 operating as a database. See col. 4 line 59-col. 5 line 67. In particular, col. 5 line 27 discloses that menu prompts to the caller may include options to identify specific callers and col. 5 lines 57-58 recites the specific example of "Press five if this message is from Ms. Smith" that clearly represents prompting a paging part to choose at least a portion of said identification information from a database. Col. 5 lines 65-67 recites that this permits the user to more efficiently use her time, and in turn, provides the user with a system to maximize her working efficiency.

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included in Holmes the limitation of "wherein said ancillary information collector prompts a paging party to choose at least a portion of said identification information from a database" in claims 1, 8 and 15 because Arledge discloses this limitation in analogous art and suggest the combination by disclosing that this limitation permits the user to more efficiently use her time, and in turn, provides the user with a system to maximize her working efficiency.

Regarding claims 2, 9, and 16 caller ID information is received from an ANI transmission of the local telephone switching system or PSTN. Regarding claims 3, 10 and 17 prompting the paging party for CAI is in col. 4 lines 35-41. Regarding claims 5, 12 and 19 the CAI includes names, addresses and telephone numbers in col. 2 lines 34-38. Also, telephone numbers include area code and local exchange corresponding to location. Regarding claims 6, 13 and 20 a database is included in col. 4 lines 15-26 and col. 4 line 56 - col. 5 line 7. Buffer 32 may also be considered a database. Regarding claims 7, 14 and 21 an alphanumeric page is specified in col. 1 line 61-67.

5. Claims 4, 11 and 18 are rejected under 35 U.S.C. 103(a) as

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being unpatentable over Holmes (US 5668852) and Arledge (US 5561703) as applied above in combination with Chen (US 5592531), Aas (US 5940740) or Taskett (US 6044247).

Chen (col. 3 lines 1-35), Aas (col. 3 line 60 -col. 4 line 19) and Taskett (col. 4 lines 12-42) disclose analogous art paging systems, methods and infrastructures with voice recognition of input from a paging party as an alternative to input by DTMF from dialing or ANI so that the paging party simply speaks the desired information to the call controller. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included the voice recognition of Chen, Aas or Taskett in system, method and infrastructure of Holmes applied above as an obvious alternative to the inputs of Holmes, because Holmes includes voice instructions in col. 1 lines 35-40 and because this would allow input by simply speaking the information by the paging party.

6. Claims 5, 12 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holmes (US 5668852) and Arledge (US 5561703) as applied above in combination with Taskett (US 6044247) or Henderson (US 6278862).

Taskett (col. 8 lines 7-29 and fig. 6B) and Henderson (col. 12 lines 1-15 and fig. 6) disclose analogous art paging systems, methods and infrastructures with caller information including

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location. If location is given weight and not clear from Holes, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included the location information of Taskett or Henderson in the system, method and infrastructure of Holmes applied above as a caller ID suggested by the various CAI of Holmes.

7. Claims 6, 13 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holmes (US 5668852) and Arledge (US 5561703) as applied above in combination with Taskett (US 6044247) or Laufmann (US 6192218).

Taskett (col. 4 lines 42-56 and fig. 1) Laufmann (abstract) disclose analogous art paging systems, methods and infrastructures with caller information stored in a database associated with the call controller or center. If it is not clear that the database of Holmes is associated with the call center, then it would have been obvious to one of ordinary skill in the art at the time the invention was made to have associated or located the database of Holmes at the call center as disclosed in Taskett or Laufmann for storing calling party information associated with the paging system.

8. Claims 7, 14 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Holmes (US 5668852) and Arledge (US 5561703) as applied above in combination with Pepe (US 5742668).

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Pepe disclose analogous art paging system, method and infrastructure with various mobile communication subscribers disclosed in col. 5 lines 18-30 and shown in fig. 1 as pager 34, cellular phone 32 or personal digital assistant (PDA) 30. If cellular phone and PDA are given weight, then it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included the PDA and cellular phone of Pepe in the system, method and infrastructure of Holmes applied above as variations of the alphanumeric pager mobile subscriber of Holmes.

Response to Arguments

9. Applicant's arguments filed 3-11-04 with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection. The drawing objections and 35 USC 112 claim rejections made in the prior office action are overcome by applicant's amendment.

CONTACT INFORMATION

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact an Electronic Business Center (EBC) representatives at 703-305-3028 or toll free at 866-217-9197 between the hours of 6 a.m. and midnight Monday through Friday EST, or by e-mail at ebc@uspto.gov. The

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Any inquiry of a general nature should be directed to the Technology Center 2600 receptionist at (703) 305-4700 or TC 2600 Customer Service at (703) 306-0377.

Facsimile submissions may be sent via fax number (703) 872-9306 to customer service for entry by technical support staff. Questions regarding fax submissions should be directed to customer service voice line (703) 306-0377.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edwin C. Holloway, III whose telephone number is (703) 305-4818. The examiner can normally be reached on M-F (8:30-5:00). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on (703) 305-4704.

EH
7/12/04


EDWIN C. HOLLOWAY, III
PRIMARY EXAMINER
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